Docket No. DE000126

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-9 are pending and stand rejected. Claims 1, 3, 4 and 7-9 have been amended. Claim 2 has been cancelled without prejudice or disclaimer.

Claims 1 and 7-9 have been objected to for containing a typographical error.

Applicant thanks the Examiner for his observation and has amended the aforementioned claims to remove the typographical error noted.

Accordingly, applicant believes that the reason for the objection is no longer relevant and respectfully requests that the objection be withdrawn.

Claims 1-9 stand rejected under 35 USC 103(a) as being unpatentable over Kishi (EP 0 094 449) in view of Golderg (USP no. 5,970,446), which is the same reason recited in rejecting the claims in the prior Office Action. In reply to the applicant's arguments made in response to the rejection of the claims in the prior Office Action, the instant Office Actions states that "Goldberg do[es] teach a speech recognition system using acoustic references, which are selected and/or adapted in dependence on estimated noise component introduced by the operating state and/or operation environment wherein said estimated noise component is determined during at least one period containing a noise signal portion but no speech signal portion (col. 2, lines 8-53, specifically in lines 33-36)."

Applicant thanks the Examiner for his additional reasons for rejecting the claims, but continues to respectfully disagree with, and traverse, the reason for the rejection of the claims. However, in the interest of advancing the prosecution of this matter, the claims have been amended to more clearly state the invention. More specifically, the claims have been amended to recite that the acoustic references are selected in dependence upon operation conditions to determine an estimate of the noise component and adapting the estimate of the noise component during a period containing a noise signal portion but no speech signal portion. No new matter has been added.

5

Amendment   Docket No. DE000126
Serial No. 09/935,235

Support for the amendment may be found at least page 2, lines 22-30, which state, "[s]tarting from the determined operating state ... the noise signal portions are estimated indirectly. An extraction of the noise signal portions from the acoustic signals fed to the speech recognition system can thus be made redundant. An estimate of the noise signal portions may be made so that predefined acoustic references are selected in dependence on the detected operating state ... to model speech pauses in which the acoustic signals only have noise signal portions."

As recited in applicant's response to the prior Office Action, Kishi discloses a system that uses an indication of speed to allow selective ones of spoken commands to be executed and fails to describe a system that determines an estimated noise component from audio references based on the operating state. Goldberg a system for receiving speech including a background noise environment, recording an amount of data related to the noisy environment, analyzing the recorded background noise data, selecting at least one appropriate background noise model, and performing speech recognition with the at least one selected background noise model. (see col. 6, lines 12-23). Goldberg further discloses that the background noise models "can be created by recording background noise and clean speech separately and later combining the two." (col. 2, lines 33-36).

Contrary to the reasons for rejecting the claims, the present invention, as recited in amended independent claim 1, for example, is not rendered obvious by the cited references. More specifically, the combination of the cited references fails to disclose "adapting said estimate of noise signal portions during at least one period containing a noise signal portion but no speech signal portion," as is recited in the claims.

Kishi is silent with regard to using acoustic references for estimating a noise component and adapting the estimated noise component. Goldberg teaches measuring a background noise environment and selecting a noise model based on the measured background noise model. (see col. 2, lines 41-53, which state "[d]etermination of which model to use is determined by the speech recognition apparatus. At the beginning of a call, a sample of the surrounding background environment from where the call is being placed is recorded ...the system analyzes the recorded background noise... Once the appropriate noise model has been chosen on the basis of the analysis, speech recognition

6

Amendment   Docket No. DE000126
Serial No. 09/935,235

is performed with the model." Goldberg further discloses "[t]he system can also constantly monitor the speech recognition function and if it is determined that speech recognition is not at an acceptable level, the system can replace the chosen model with another." (col. 2, lines 50-53). Hence, Goldberg fails to teach adapting the estimate of noise signal portion during a period of noise only.

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

As shown the combined device fails to contain all the elements recited in the claims. More specifically, the combination of the cited references fails to disclose "adapting said estimate of noise signal portions during at least one period containing a noise signal portion but no speech signal portion," as is recited in the claims.

For at least this reason, the invention recited in claim 1 is not rendered obvious by the teachings of the cited reference, as the combined device fails to recite all the elements claimed in independent claim 1, for example.

With regard to the remaining independent claims, these claims recite subject matter similar to that recited in claim 1 and were rejected for the same reason used in rejecting claim 1. Thus, for the amendments made to these claims, which are similar to the amendments made with regard to claim 1, and for the remarks made in response to the rejection of claim 1, which are also applicable, and reasserted, as if in full, herein, in response to the rejection of the remaining independent claims, applicant submits that the reason for rejecting these claims has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

With regard the remaining claims these claims ultimately depend from the independent claims, which have been shown to contain subject matter not disclosed by,

7

Amendment
Serial No. 09/935,235

Docket No. DE000126

and, hence, allowable over, the reference cited. Accordingly, these claims are also allowable by virtue of their dependency from an allowable base claim.

Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Aaron Waxler
Registration No. 48,027

Date: July 27, 2006

By: Steve Cha
Attorney for Applicant
Registration No. 44,069

Mail all correspondence to:
Aaron Waxler, Registration No. 48,027
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9608
Fax: (914) 332-0615

8